

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.410/2015

(Gajanan Vishwmbhar Mote.vs.State of Maharashtra, thr. PSO P.S.Ner,Dist. Yavatmal)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. J. B. Kasat, Advocate for applicant.
Mr. P. V. Bhoyar, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.
DATE : SEPTEMBER 2, 2015.

This is an application for pre-arrest bail.
Heard Mr. Kasat, learned counsel for the applicant
and Mr.Bhoyar, learned A.P.P. for non applicant-
State.

The applicant is apprehending arrest in
Crime No.135/2015, registered with Police Station
Ner, Dist. Yavatmal, for an offence punishable under
Sections 451, 354, 506 of the IPC read with section 8
of the POCSO Act. The FIR is lodged by the
prosecutrix herself. It is dated 20.07.2015 in respect
of the occurrence dated 19.07.2015 that happened at
8.00 p.m. According to the prosecutrix, at the time of
the occurrence, she was alone in her house. At that
time, the present applicant came inside her house,
caught hold of her hand and pressed her mouth.
These are the allegations against present applicant.

In view of the aforesaid nature of accusation, in my view, the purpose of investigation can be achieved by directing the applicant to attend Police Station instead of asking him to be in the police custody. That leads me to pass the following order.

ORDER

(i) Criminal Application (ABA) No.410/2015 is allowed.

(ii) Applicant-Gajanan s/o Vishwmbhar Mote, in the event of his arrested in Crime No.135/2015, for the offence punishable under Sections 451, 354, 506 of the IPC and Section 8 of the POCSO Act, registered with Police Station, Ner, Dist. Yavatmal, shall be released on he executing P.R. Bond in the sum of Rs.25,000/- with one surety in the like amount.

(iii) The applicant-Gajanan s/o Vishwmbhar Mote shall attend Police Station, Ner, once in a week, on every Wednesday till the filing of the charge-sheet.

(iv) When the applicant shall be attending the Police Station, Ner, he shall be with the Investigating Officer from 2.00 p.m. to 5.00 p.m.

JUDGE